Plant Protection and Quarantine Codifies Treatment Schedules in Regulations

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service's (APHIS) Plant Protection and Quarantine (PPQ) program amended its regulations to include the treatment schedules for imported fruits and vegetables and other treatment-related requirements, which were previously incorporated into the regulations by reference only. The treatment schedules, instructions for administering the treatments, and the requirements for certification of facilities that administer the treatments now can be found in the Code of Federal Regulations at 7 CFR Part 305.

The substantive elements of the treatment schedules and requirements have not changed. The treatment schedules have been codified in the Code of Federal Regulations for the following reasons:
1. To distinguish between the requirements APHIS enforces and the administrative information that appears in the manual,
2. To eliminate inconsistencies which may exist between the Code of Federal Regulations and the PPQ *Treatment Manual*, and
3. To simplify and improve the efficiency of the rule-making process for incorporating changes.

To assist users in navigating the regulations, Part 305 has been organized broadly to list first the articles for which treatments are available by the type of article, followed by a list of treatments according to the type of treatment. The treatment schedules for fruits and vegetables moved interstate from quarantined areas also have been duplicated within the Part 305 regulations so that users can find most available treatments for fruits and vegetables in one place. Other than quick-freeze treatment of certain fruits and vegetables as described in sections 318.13–4a, 318.58–4a and 319.56–2c, and methyl bromide treatment for khapra beetle in section 319.75–4, the treatment schedules currently contained in Parts 301, 318 and 319 have not been moved into Part 305. A subsequent rulemaking would be required to consolidate those treatment schedules into Part 305.

Enforceable treatment facility requirements have been consolidated from the *Treatment Manual* and now precede the schedules for each type of treatment in Part 305. By differentiating the regulatory components of treatment requirements from nonregulatory components in the *Treatment Manual* and including the regulatory components in the part 305, PPQ hopes to increase transparency and clarity for regulated parties. The T*reatment Manual* will continue including both components and serve as PPQ's guidelines for treatments.

Users can view the new regulations by visiting <http://www.gpoaccess.gov/ecfr>, and browsing 7 CFR Parts 300–399. Copies of the PPQ *Treatment Manual* are available at <http://www.aphis.usda.gov/ppq/manuals>.

Note to Stakeholders: Stakeholder announcements and other APHIS information are available on the Internet. Go to the APHIS home page at http://www.aphis.usda.gov and click on the "News" button. For more information regarding these regulatory changes, please contact Paul Gadh at (301) 734–5210 or paul.gadh@aphis.usda.gov.